THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.13114 of 2006

Date: 29.06.2006

Between:

Gowthamnagar Welfare Association
Rep., by its Secretary Sri V.R.K. Rao.

... PETITIONER

AND

The Government of A.P., rep., by its
Principal Secretary to Government,
Revenue (E) Department,
Secretariat Buildings, Hyderabad
& others.

... RESPONDENTS

ORDER:-

1. It is stated that similar writ petition being WP.No.11819 of 2006 had been disposed of by this Court and both the counsel representing the parties requested that similar orders may be passed in the present writ petition also.

2. The writ petition is filed for issuance of a writ, order or direction, more particularly one in the nature of Mandamus directing the respondents, more particularly the 2nd respondent not to dispossess the members of the petitioner association from the land in Sy.Nos.11/2. 11/3, 11/34, 11/36, 11/31P, 11/33P, 13, 14, 15, 17, 19, 20, 22, 23, 26, 27, 29, 32 and 34 of Khanamet Village, Serilingampally Mandal, Ranga Reddy District pending regularization of the alienations made by the Gurukul Ghatkesar Trust in favour of the members of the petitioner association by the 4th respondent herein and pass such suitable orders.

3. It is stated that an extent of Acs.627-00 of land in Khanamet Village, Serilingampally Mandal, Ranga Reddy District, belonged to Gurukul Ghatkesar Trust. The Special Officer and Competent Authority, ULC, Hyderabad, held that the lands are exempted from the purview of the Urban Land (Ceiling & Regulation) Act 1976, hereinafter in short referred to as Act for the purpose of convenience, by proceedings dated 10.12.1981 since they hold by

an institution.

4. The members of the petitioner association purchased land in various survey numbers in the said village and a layout was formed. The Government issued G.O.Ms.No.703, dated 30.09.2000, declaring the sales effected by the President of the trust and his GPA as null and void. The G.O. was challenged by several persons, including the members of the petitioner association in a batch of writ petitions. A Division Bench of this Court, disposed of the said writ petitions by judgment dated 15.10.2003, reported in ***Secretary to Government, Revenue (Endowments) Department, vs. Sri Swamy Ayyappa Co-operative Housing Societies Ltd., Hydeabad & others***[1] to the effect that it is open to the petitioners to approach the authorities for appropriate relief. The members of the petitioner association filed representations for regularization before the 1st and 3rd respondents and the same are pending consideration. It is further stated that the 2nd respondent issued a notification dated 16.02.2006 declaring the land in Khanamet Village pertaining to the trust to have been acquired by the Government under the provisions of the Act. In the light of the same the petitioner apprehends that the petitioner association may be dispossessed from their plots. Hence, the present writ petition is filed.

5. Heard the learned counsel on record.

6. The Division bench, in fact, observed that the writ petitioners, if they are so interested, may file appropriate applications before the competent authority within eight weeks from the date of the order and in such an event the same shall be

disposed of within four months from the date of filing of the same. During the pendency of consideration of the request, if any, to be made by the petitioners, by the contempt authorities, the writ petitioners shall not make any construction of whatsoever nature and shall maintain status quo existing as on that day in all respects. They shall not alienate or encumber the lands in their possession or any portion thereof in any manner whatsoever.

7. In the light of the same, it is needless to say that till the applications made by the members of the petitioner association are disposed of by the 3rd respondent, the authorities are bound to obey the orders made by the Division Bench i.e., to maintain *status quo*. Hence, it is clarified that the order of *status quo* to be maintained as directed by the Division Bench and it is needless to say that the order of *status quo* shall also operate against the petitioner or its members insofar as the construction is concerned.

With the above direction, the writ petition is accordingly disposed of. No order as to costs.

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P.S. NARAYANA, J

Date: 29.06.2006
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[1] 2003 (6) ALD 225 (DB)